UNITED S'	TATES DIST	TRICT	COUR	RT
SOUTHER	N DISTRIC	ΓOFN	EW Y	ORK

JENNIFER SHARKEY,

v.

Plaintiff, : Civil Action No.: 10-cv-3824 (RWS)

J.P. MORGAN CHASE & CO., JOE KENNEY, ADAM GREEN, and LESLIE LASSITER, in their official and individual capacities,

Defendants. :

DECLARATION OF DOUGLAS H. WIGDOR

- I, Douglas H. Wigdor, pursuant to 28 U.S.C. § 1746, declare and state as follows:
- 1. I am a Partner at the law firm Wigdor LLP, attorneys for Plaintiff Jennifer Sharkey ("Plaintiff") in the above-captioned action against Defendants J.P. Morgan Chase & Co. ("JPMC"), Joe Kenney, Adam Green and Leslie Lassiter (collectively, "Defendants"). I have personal knowledge of the facts set forth herein and submit this declaration in support of Plaintiff's motion for a different judge to be assigned to this matter pursuant to 28 U.S.C. § 144 and 28 U.S.C. § 455.
- 2. At the September 29, 2016 pretrial conference in this matter, while discussing scheduling and potential resolution talks, Your Honor put his hand over his face, closed his eyes and said, "I would do anything to get rid of this case."
- 3. At the January 17, 2017 pretrial conference, the Court held oral argument on, *inter alia*, 14 motions *in limine* filed by the parties in this action.

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4. Shortly before the oral argument, we were told that January 17, 2017 was Your

Honor's first day back from holiday vacation, and that Your Honor had not yet read the papers

filed in connection with the motions in limine.

5. At this time, we were asked to provide the Court with a copy of the papers, which

had previously been provided and are, in total, approximately five inches thick.

6. Very shortly thereafter, Your Honor took the bench and began making rulings and

preliminary rulings despite apparently having not read the papers.

7. Indeed, it appeared the Court was making rulings based solely on the titles of the

motions, which were listed in a letter filed by Ms. Sharkey the night before.

8. Attached hereto as **Exhibit A** is a true and correct copy of relevant excerpts from

the transcript of the pretrial conference held before Your Honor on January 17, 2017 in this

action.

9. Attached hereto as **Exhibit B** is a true and correct copy of Plaintiff's pre-motion

conference letter in anticipation of the instant motion, dated January 26, 2017, which was

emailed to Your Honor's chambers and Defendants' counsel.

10. I certify that the instant motion and the Affidavit of Jennifer Sharkey in support

thereof are submitted in good faith.

11. I declare under penalty of perjury that the foregoing is true and correct to the best

of my knowledge.

Dated: March 20, 2017

New York, New York

Douglas H. Wigdor

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